

# SB1853



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB1853

Introduced 2/15/2013, by Sen. Tim Bivins

#### SYNOPSIS AS INTRODUCED:

225 ILCS 447/31-5

Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Provides an exemption from the requirements of fingerprint vendors to any member of local law enforcement (A) in the performance of his or her duties and (B) within a county without a local fingerprint vendor. Provides that local law enforcement agencies may charge a reasonable fee related to the cost of offering fingerprinting services. Effective immediately.

LRB098 08596 MGM 38713 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Private Detective, Private Alarm, Private  
5 Security, Fingerprint Vendor, and Locksmith Act of 2004 is  
6 amended by changing Section 31-5 as follows:

7 (225 ILCS 447/31-5)

8 (Section scheduled to be repealed on January 1, 2014)

9 Sec. 31-5. Exemptions. The provisions of this Act regarding  
10 fingerprint vendors do not apply to any of the following, if  
11 the person performing the service does not hold himself or  
12 herself out as a fingerprint vendor or fingerprint vendor  
13 agency:

14 (1) An employee of the United States, Illinois, or a  
15 political subdivision, including public school districts,  
16 of either while the employee is engaged in the performance  
17 of his or her official duties within the scope of his or  
18 her employment. However, any such person who offers his or  
19 her services as a fingerprint vendor or uses a similar  
20 title when these services are performed for compensation or  
21 other consideration, whether received directly or  
22 indirectly, is subject to this Act.

23 (2) A person employed exclusively by only one employer

1 in connection with the exclusive activities of that  
2 employer, provided that person does not hold himself or  
3 herself out to the public as a fingerprint vendor.

4 (3) Notwithstanding any other provisions of this Act,  
5 any member of local law enforcement (A) in the performance  
6 of his or her duties and (B) within a county without a  
7 local fingerprint vendor. Nothing in this Act shall  
8 prohibit local law enforcement agencies from charging a  
9 reasonable fee related to the cost of offering  
10 fingerprinting services.

11 (Source: P.A. 95-613, eff. 9-11-07.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.